

DISPOSITION: On October 29, 1943, and February 10, 1944. The Butler Packing Co., Inc., Seattle, Wash., claimant for the Seattle lot, and John D. Hamilton, claimant for the Tacoma lot, having consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The unfit portion was segregated and destroyed.

6771. Adulteration of peanuts. U. S. v. 162 Bags of Peanuts (and 1 other seizure action against peanuts). Decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 10840, 11235. Sample Nos. 29718-F, 29733-F, 55724-F.)

LIBELS FILED: October 7 and December 3, 1943, Western District of Washington and Northern District of California.

ALLEGED SHIPMENT: On or about January 28 and June 4, 1943, by the Woldert Peanut Products Co., from Dublin and Tyler, Tex.

PRODUCT: Peanuts: 176 100-pound bags at Seattle, Wash., and 162 125-pound bags at Oakland, Calif.

LABEL, IN PART: "Wolco Brand."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, larvae, pupae, insect excreta, and webbing.

DISPOSITION: October 29 and December 17, 1943. The California Peanut Co., Oakland, Calif., and the Butler Packing Co., Inc., Seattle, Wash., having appeared as claimants for the respective lots at Oakland and Seattle, judgments of condemnation were entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. The unfit portion was segregated and destroyed.

6772. Adulteration of pecans. U. S. v. 18 Bags of Pecans. Default decree of condemnation and destruction. (F. D. C. No. 11443. Sample No. 49011-F.)

LIBEL FILED: December 17, 1943, Northern District of Ohio.

ALLEGED SHIPMENT: On or about April 14, 1943, by the Consolidated Pecan Sales Co., Albany, Ga.

PRODUCT: 18 bags, each containing 50 pounds, of pecans at Cleveland, Ohio.

LABEL, IN PART: "King Cole."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of shriveled, rancid, decomposed, and insect-infested nuts.

DISPOSITION: May 26, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6773. Adulteration of piñon nuts. U. S. v. 227 Bags of Piñon Nuts. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 11781. Sample No. 53634-F.)

LIBEL FILED: February 9, 1944, Southern District of California.

ALLEGED SHIPMENT: On or about December 24, 1943, by Gross, Kelly & Co., Inc., from Gallup, N. Mex.

PRODUCT: 227 bags, each containing approximately 83 pounds, of piñon nuts at Los Angeles, Calif.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of pellets resembling rabbit excreta.

DISPOSITION: February 25, 1944. Gonzalez & Blanco, Los Angeles, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

6774. Adulteration of unshelled black walnuts. U. S. v. 600 Bags of Black Walnuts. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 11466. Sample No. 53802-F.)

LIBEL FILED: December 18, 1943, Southern District of California.

ALLEGED SHIPMENT: On or about November 12, 1943, by the Gravette Shelling Co., from Gravette, Ark.

PRODUCT: 600 bags, each containing 100 pounds, of unshelled black walnuts at Los Angeles, Calif.

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy and decomposed substance by reason of the presence of rancid, wormy, and moldy nuts, and it was otherwise unfit for food in that it contained shriveled nuts.

DISPOSITION: February 17, 1944. The Los Angeles Nut House, Los Angeles, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for segregation of the good portion from the bad, under the supervision of the Food and Drug Administration. The unfit portion was denatured.

6775. Adulteration of shelled walnuts. U. S. v. 86 Cartons and 63 Cases of Shelled Walnuts. Consent decrees of condemnation. Product ordered released under bond. (F. D. C. Nos. 12237, 12367. Sample Nos. 55845-F, 70793-F.)

LIBEL FILED: May 8 and 13, 1944, Western District of Washington.

ALLEGED SHIPMENT: From on or about December 17, 1943, to February 10, 1944, by the Consolidated Nut Co., from Los Angeles, Calif.

PRODUCT: Shelled walnuts: 63 cases, each containing 25 pounds, at Seattle, Wash., and 86 cartons, labeled as containing 25 pounds, at Tacoma, Wash.

LABEL, IN PART: "Grade Light Ambers," or "Golden Bear Shelled California Walnuts."

VIOLATION CHARGED: Adulteration, Section 402 (a) (3), a portion of the article consisted in whole or in part of a filthy substance by reason of the presence of insect-damaged walnut meats, webbing, and insect excreta, and the remainder consisted in whole or in part of a filthy and decomposed substance by reason of the presence of insect-infested and moldy walnut meats.

DISPOSITION: June 17, 1944. Cases consolidated. The Consolidated Nut Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law. The unfit portion was segregated and destroyed.

OILS AND FATS

6776. Adulteration and misbranding of edible oil. U. S. v. 268 Cans of Oil. Default decree of condemnation. Product ordered sold. (F. D. C. No. 12106. Sample No. 76118-F.)

LIBEL FILED: On or about March 30, 1944, District of Connecticut.

ALLEGED SHIPMENT: On or about February 4, 1944, by Michael Catanzaro, from Portchester, N. Y.

PRODUCT: 268 1-gallon cans of oil at New Haven, Conn.

LABEL, IN PART: "Puglia Brand Superfine Pure Edible Oil."

VIOLATIONS CHARGED: Adulteration, Section 402 (c), the article contained a coal-tar color other than one from a batch that had been certified in accordance with regulations.

Misbranding, Section 403 (c), it was an imitation of another food, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; Section 403 (e) (1), it was in package form and failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 403 (i) (2), it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient; and, Section 403 (k), it contained artificial flavoring and artificial coloring, and failed to bear labeling stating that fact.

DISPOSITION: May 12, 1944. No claimant having appeared, judgment of condemnation was entered. A portion of the product was ordered delivered to the Food and Drug Administration, and the remainder was ordered sold for use in the manufacture of soap.

6777. Adulteration and misbranding of peanut oil. U. S. v. 289 Cases of Oil. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 12727, 12730. Sample Nos. 71271-F, 71277-F, 71306-F, 71307-F.)

LIBEL FILED: On or about July 19, 1944, District of Oregon.

ALLEGED SHIPMENT: On or about April 15, 1944, by the Italian Cook Oil Corporation, from Brooklyn, N. Y.

PRODUCT: Oil: 77 cases, each containing 12 quart bottles, 33 cases, each containing 24 pint bottles, and 7 cases, each containing 4 gallon bottles, at Salem, Oreg.; and 83 cases, each containing 12 quart bottles, and 89 cases, each containing 24 pint bottles, at Portland, Oreg.